



CITY OF FREMONT NEBRASKA

REGULAR CITY COUNCIL MEETING MINUTES April 26, 2022 - 7:00 PM City Council Chambers 400 East Military, Fremont NE

MEETING CALLED TO ORDER Following the Pledge of Allegiance, Mayor Spellerberg called the Regular Meeting to order and stated that a copy of the open meeting law is posted continually for public inspection located near the entrance door by the agendas.

ROLL CALL Roll call showed Council Members Ellis, Ganem, Yerger, Sookram, Legband, Jensen, Gibson and Vaughan present. 8 members present.

MAYOR COMMENTS

(There will be no discussion from the Council or the public regarding comments made by the Mayor. Should anyone have questions regarding the comments, please contact the Mayor after the meeting)

1. Motion to adopt current agenda for the April 26, 2022 Regular Meeting. Motion made by Yerger, Seconded by Ellis to move items 20, 21 and 22 to follow item 26 and be preceded by an executive session. Voting Yea: Ellis, Ganem, Gibson, Vaughan, Yerger Voting Nay: Jensen, Legband, Sookram. Motion carried. Motion made by Ellis, Seconded by Legband to move items 17, 18 & 19 to follow the public hearings. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. Motion made by Gibson, Seconded by Jensen to adopt current agenda for the April 26, 2022 Regular Meeting as amended. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.

PUBLIC HEARINGS:

2. Resolution 2022-061 recommending approval of Class IK liquor license application of Quintero, Berta O. dba Heladeria Reinita Restaurant, 414 North Main Street, Fremont, NE Mayor Spellerberg opened the public hearing. Mayor Spellerberg closed the public hearing after receiving comments from the public. Motion made by Ganem, Seconded by Legband to approve Resolution 2022-061. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.
3. Ordinance 5612 to amend Section 11-05.02 regarding flood prone and flood fringe regulations and definitions (consider request to suspend rules and move to final reading) Mayor Spellerberg opened the public hearing. Mayor Spellerberg closed the public hearing after receiving comments from the public. Motion made by Yerger, Seconded by Jensen to receive a marked version of the Ordinance into the record. Voting Yea: Ellis, Ganem,

Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. Motion made by Ganem, Seconded by Jensen to introduce and hold first reading of the Ordinance. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. City Clerk provided first reading of the Ordinance. Motion made by Jensen, Seconded by Legband to suspend the rules and move to final reading of the Ordinance. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. City Clerk provided final reading of the Ordinance. Mayor Spellerberg called for a final vote on the Ordinance. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Ordinance 5612 approved.

NEW BUSINESS: Requires individual associated action

17. Move to confirm appointment of two Fire Lieutenants per Mayor recommendation
Motion made by Gibson, Seconded by Legband to confirm appointment of two Fire Lieutenants per Mayor recommendation. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.
18. Move to confirm appointment of Firefighter/EMT per Mayor recommendation
Motion made by Legband, Seconded by Sookram to confirm appointment of Firefighter/EMT per Mayor recommendation. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.
19. Move to confirm appointment of Police Officer per Mayor recommendation
Motion made by Legband, Seconded by Sookram to confirm appointment of Police Officer per Mayor recommendation. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.

CONSENT AGENDA: All items in the consent agenda are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member or a citizen so requests, in which event the item will be removed from the consent agenda and considered separately. Motion made by Jensen, Seconded by Legband to approve consent agenda item 4-7 and 9-12. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.

4. Motion to approve April 13, 2022 through April 26, 2022 claims and authorize checks to be drawn on the proper accounts
5. Dispense with and approve April 12, 2022 Regular City Council Meeting Minutes and Special Joint City Council Meeting Minutes
6. Receive March 2022 animal reports
7. Resolution 2022-062 authorizing the Mayor to sign the Kone Care Maintenance Agreement with Kone, Inc. for the extended warranty and maintenance services of the Kone elevator located at the Municipal Building at 400 East Military Avenue
8. Resolution 2022-063 authorizing execution of a professional services contract between the Eastern Nebraska Office on Aging (ENOA) and the Fremont Friendship Center (Senior Center) Motion made by Yerger, Seconded by Ellis to add whereas statement providing that this is a two year agreement and the City will be reimbursed \$24,414 for salary and janitorial costs. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan,

Yerger. Motion carried. Motion made by Gibson, Seconded by Legband to approve Resolution 2022-063 as amended. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.

9. Resolution 2022-064 to award bid to W.S Bunch Co for Sandblasting and Painting Splash Station pool and splash pad
10. Resolution 2022-065 authorizing the Fremont Department of Utilities Staff to purchase a 2022 Sauber Manufacturing Three Reel Turret trailer
11. Resolution 2022-066 to accept proposal from Insight Public Sector for renewal of licenses and support necessary to run virtual server infrastructure
12. Resolution 2022-067 approving the request of Keep Fremont Beautiful to use the Ilgenfritz Parking Lot for the All Metals Market and Cross Electronics Recycling Drop Site

UNFINISHED BUSINESS: Requires individual associated action

13. Ordinance 5610 Change of Zone from GC, General Commercial to LI, Light Industrial on property generally located at the northwest corner of W. Military Ave. and Business Park Drive (second reading). Motion made by Legband, Seconded by Sookram to hold second reading of the Ordinance. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. City Clerk provided second reading of the Ordinance. Motion made by Jensen, Seconded by Sookram to suspend the rules and move to final reading of the Ordinance. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. City Clerk provided final reading of the Ordinance. Mayor Spellerberg called for a final vote on the Ordinance. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.
14. Councilmember Ellis item - Ordinance 5611 amending Chapter 10 Article 2 of the Fremont Municipal Code to include the regulation of Street Vendors (second reading). Motion made by Jensen, Seconded by Legband to hold second reading of Ordinance 5611. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. City Clerk provided second reading of the Ordinance.
15. Resolution 2022-050 authorizing amendment to interlocal to extend agreement five years with the Village of Cedar Bluffs for satellite keno operations. Motion made by Legband, Seconded by Gibson to continue Resolution 2022-050. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.
16. Resolution 2022-051 authorizing amendment to interlocal to extend agreement five years with the Village of Kennard for satellite keno operations. Motion made by Jensen, Seconded by Sookram to continue Resolution 2022-051. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.

NEW BUSINESS: Requires individual associated action

23. Resolution 2022-069 authorizing execution of a lease agreement between the Julio Magana Fremont Adult Soccer League (JMFASL) and the City of Fremont

Motion made by Yerger, Seconded by Vaughan to approve Resolution 2022-069. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.

24. Resolution 2022-072 to award contract to Audio Visual Specialist for a public address system in the District. Motion made by Yerger, Seconded by Jensen to receive an updated resolution into the record. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. Motion made by Yerger, Seconded by Legband to amend the resolution to the received document. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. Motion made by Legband, Seconded by Sookram to approve Resolution 2022-072 as amended. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.
25. Resolution 2022-073 approving the request of MainStreet Fremont to hold the Fremont Hispanic Festival Event, to include the related street closures necessary for the parade, as well as use of John C. Fremont Park on September 10, 2022. Motion made by Gibson, Seconded by Jensen to approve Resolution 2022-073. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.
26. Ordinance 5615 amending Chapter 5 Article 4 of the Fremont Municipal Code Sections 5-406 Parking; business district, hours prohibited, and 5-421 Parking; public parking lots (first reading). Motion made by Yerger, Seconded by Ellis to continue the item to a special meeting to be designated by the Mayor. Voting Yea: Ellis, Ganem, Yerger Voting Nay: Gibson, Jensen, Legband, Sookram, Vaughan. Motion failed. Motion made by Jensen, Seconded by Legband to introduce and hold first reading of the Ordinance. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan Voting Nay: Yerger. Motion carried. City Clerk provided first reading of the Ordinance.
20. Resolution 2022-068 approving the 2021-2025 Collective Bargaining Agreement between the City of Fremont and the International Brotherhood of Electrical Workers, Local 1536 as negotiated by management. Moved by Yerger, seconded by Gibson to go into executive session to discuss contract negotiations and for the further reason that the executive session is necessary for the protection of the public interest and asked for discussion. The Mayor stated that the pending motion was to go into executive session for discussing contract negotiations and for the further reason that the executive session is necessary for the protection of the public interest. Voting Yea: Gibson, Ganem, Sookram, Yerger and Ellis Voting Nay: Jensen, Legband and Vaughan. Motion carried. The Mayor stated that the motion to go into executive session for discussing contract negotiations and for the further reason that the executive session is necessary for the protection of the public interest had been approved. Discussion will be limited to discussing contract negotiations. No official actions or votes will be taken during the executive session. Time in: 8:43 p.m. Moved by Jensen, seconded by Yerger to come out of executive session where no official actions or votes were taken. Voting Yea: Yerger, Ellis, Gibson, Legband, Sookram, Ganem, Vaughan and Jensen. Motion carried. Time out: 9:07 p.m. Motion made by Gibson, Seconded by Sookram to approve Resolution 2022-068. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.
21. Ordinance 5613 to approve Utility Salary Ordinance (consider request to suspend rules and move to final reading). Motion made by Sookram, Seconded by Jensen to introduce and hold first reading of the Ordinance. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. City Clerk provided first reading of the Ordinance. Motion made by Jensen, Seconded by Legband to suspend the rules and

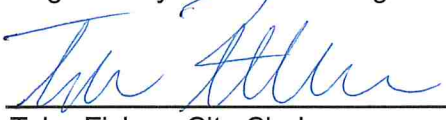
move to final reading of the Ordinance. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. City Clerk provided final reading of the Ordinance. Mayor Spellerberg called for a final vote on the Ordinance. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Ordinance 5613 approved.

22. Ordinance 5614 to approve Utility Salary Ordinance (consider request to suspend rules and move to final reading). Motion made by Jensen, Seconded by Legband to introduce and hold first reading of the Ordinance. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. City Clerk provided first reading of the Ordinance. Motion made by Legband, Seconded by Sookram to suspend the rules and move to final reading of the Ordinance. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. City Clerk provided final reading of the Ordinance. Mayor Spellerberg called for a final vote on the Ordinance. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Ordinance 5614 approved.

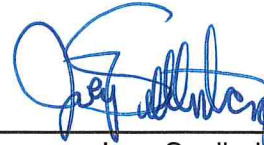
ADJOURNMENT Motion made by Gibson, seconded by Sookram to adjourn; time: 9:14 P.M. Voting Yea: Yerger, Ellis, Legband, Ganem, Sookram, Vaughan, Jensen, Gibson. Motion carried.

Agenda posted at the Municipal Building on April 20, 2022 and online at www.fremontne.gov. Agenda distributed to the Mayor and City Council on April 20, 2022. This meeting is preceded by publicized notice in the Fremont Tribune on the last Thursday of the preceding month and the agenda, including any notice of study session or public hearing, is displayed in the Municipal Building and is open to the public. The official current copy is available at City Hall, 400 East Military, City Clerk's Office. The City Council reserves the right to go into Executive Session at any time. A copy of the Open Meeting Law is posted in the City Council Chambers for review by the public. The City of Fremont reserves the right to adjust the order of items on the agenda.

APPROVED AND ACCEPTED AS THE OFFICIAL COPY OF THE FREMONT, NEBRASKA Regular City Council Meeting Minutes for April 26, 2022.



Tyler Ficken, City Clerk



Joey Spellerberg, Mayor